



County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA
Chief Executive Officer

May 15, 2014

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To: Supervisor Don Knabe, Chairman
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From: William T Fujioka
Chief Executive Officer

SACRAMENTO UPDATE

Executive Summary

This memorandum contains reports on the following:

- **Pursuit of County Position to Support AB 1861 (Harkey).** This measure would reinstate and fund the Voter Identification Procedures mandate, which requires local election officials to verify the signature on provisional ballots which was suspended in the FY 2013-14 State Budget Act. Therefore, unless otherwise directed by the Board, consistent with existing policy to support proposals that increase protections against interfering with the casting of ballots at polling places or by mail, including increasing fines and/or penalties for practices that attempt to impede the voting process or intimidate voters, **the Sacramento advocates will support AB 1861.**
- **Status of County-Advocacy Legislation.** A status on nine County-advocacy measures related to: 1) availability of condoms in State prisons; 2) death benefits for public safety officers; 3) motion picture tax credits; 4) part-day State preschool; 5) assessments of local emergency medical services agencies; 6) death investigations of residents at alcohol and drug treatment facilities; 7) property tax agent registration; 8) single-use plastic bags; and 9) criminal records clearances of Drug Medi-Cal providers.

"To Enrich Lives Through Effective And Caring Service"

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Pursuit of County Position on Legislation

AB 1861 (Harkey), which as introduced on February 19, 2014, would reinstate and fund the Voter Identification Procedures mandate, which requires election officials to verify the signature on provisional ballots which was suspended in the FY 2013-14 State Budget Act.

Existing law makes it optional for local agencies to comply with the Voter Identification Procedures by suspending the requirement for local election officials to compare signatures on provisional ballot envelopes with signatures on voter registration materials and, if the signatures do not match, reject the provisional ballot.

AB 1861 would: 1) remove the Voter Identification Procedures from the list of suspended State-mandated local programs in the FY 2013-14 State Budget Act; and 2) appropriate \$7.5 million statewide to reimburse counties for the current year. If enacted, the bill would take effect immediately as a part of the FY 2014-15 State Budget Act. According to the author, AB 1861 would strengthen elections integrity by reinstating and funding the mandate that signatures be verified on provisional ballots that are cast in elections.

The Registrar-Recorder/County Clerk (RR/CC) reports that the Voter Identification Procedures were a local mandate from 2001 through 2012, during which the County spent \$6.6 million, so far unreimbursed, to fulfill this mandate. RR/CC notes that without this mandate, local election officials may count a provisional ballot without first checking the signature on the envelope, which could increase voter fraud. RR/CC indicates that reinstating the Voter Identification Procedures mandate is important to ensuring integrity in the elections process.

This office and Registrar-Recorder/County Clerk support AB 1861. Therefore, unless otherwise directed by the Board, consistent with existing policy to support proposals that increase protections against interfering with the casting of ballots at polling places or by mail, including increasing fines and/or penalties for practices that attempt to impede the voting process or intimidate voters, **the Sacramento advocates will support AB 1861.**

AB 1861 is supported by the California State Association of Counties and California Elections Integrity Project. There is no registered opposition. This bill is awaiting a hearing in Assembly Budget Sub-Committee No. 6, on Budget Process, Oversight and Program Evaluation.

Status of County-Advocacy Legislation

County-supported AB 966 (Bonta), which as amended on January 6, 2014, would require the California Department of Corrections and Rehabilitation to develop a five-year plan to extend the availability of condoms in all California prisons, passed the Senate Public Safety Committee, by a vote of 5 to 1 on May 13, 2014. This measure now proceeds to the Senate Appropriations Committee.

County-opposed AB 1035 (Pérez), which as amended on April 22, 2014, would extend the statute of limitations on filing a death benefits claim for a firefighter or peace officer who dies of specified presumptive work-related illness from 240 weeks to 420 weeks from the date of injury, was signed by the Governor on May 13, 2014. This measure is Chapter 15, Statutes of 2014 and becomes effective January 1, 2015. The statute has a sunset date of January 1, 2019.

The Chief Executive Office Risk Management Branch estimates that AB 1035 will cost the County approximately \$2.0 million a year in increased workers' compensation liability. These estimates are based on the County's current eligible peace officer population, including existing public safety retirees and active public safety employees.

County-supported AB 1839 (Gatto and Bocanegra), which as amended on March 19, 2014, would: 1) beginning on or after January 1, 2016, establish qualified motion picture tax credits under the Personal Income Tax Law and Corporation Tax Law for the period of July 1, 2016 through June 30, 2021; 2) extend the scope of the tax credits for a qualified motion picture to the applicable percentage of qualified expenditures up to \$100.0 million; 3) extend the availability of the tax credits to television pilot episodes and music scoring/editing; 4) offer tax credits to television series that relocate to California; 5) limit the aggregate amount of tax credits allocated each fiscal year to a yet-to-be-determined amount; and 6) set aside a specific amount of tax credits allocated each fiscal year for independent films and television series that relocate to California, passed the Assembly Revenue and Taxation Committee, by a vote of 8 to 0 on May 13, 2014. This measure now proceeds to the Assembly Appropriations Committee.

AB 1902 (Bonta), which as amended on April 9, 2014, would eliminate the current requirement to assess fees on low-income families with children who attend a part-day State preschool program, was placed on the Assembly Appropriations Suspense File on May 14, 2014.

County-opposed AB 1975 (Hernandez), which as amended on May 7, 2014, would require local emergency medical services agencies that implement a trauma care system to commission an independent, nonprofit organization, or a qualified

governmental, to conduct a comprehensive assessment of the system, on a regional basis, at least once every five years, in conjunction with the regional trauma coordinating committee for that area, was placed on the Assembly Appropriations Committee Suspense File on May 14, 2014.

County-supported AB 2374 (Mansoor), which would have required: 1) licensed alcoholism or drug abuse recovery and treatment programs provide telephonic and written reports to the California Department of Health Care Services (DHCS) regarding specified events involving program residents, including deaths, poisonings, and facility-related injuries requiring medical treatment, among other incidents; and 2) prior to registering or certifying counselors working with recovery and treatment programs, organizations responsible for providing registration or certification must reference the electronic databases maintained by other DHCS-approved registering/certifying organizations to determine whether or not a prospective counselor has ever had their registration or certification as a counselor revoked, was amended on May 6, 2014.

As amended, AB 2374 would: 1) require the California Department of Health Care Services to design its death investigation policy to ensure that the death of a resident of a licensed alcoholism or drug abuse recovery and treatment facility is reported by the licensed facility and addressed by DHCS in a timely manner; 2) specify the content of required telephonic and written reports of events or incidents occurring in a licensed facility; and 3) prohibit DHCS from licensing a alcoholism or drug abuse recovery and treatment program that does not, prior to registering or certifying a counselor, consult with the available electronic databases of the other department-approved counselor registration and certification organizations to determine whether the person has ever had his or her registration or certification as a counselor revoked.

AB 2374 was placed on the Assembly Appropriations Suspense File on May 14, 2014.

County-supported AB 2415 (Ting), which as amended on April 3, 2014, would, beginning September 1, 2015, require a property tax agent to register biannually with the Secretary of State before representing a taxpayer before a county official, was placed on the Assembly Appropriations Committee Suspense File on May 14, 2014.

The Sacramento advocates testified at the committee hearing in support of AB 2415, and consistent with the Board action of May 6, 2014, noted that the County will work with the author to coordinate and ensure that the stronger provisions of County's Tax Agent Registration ordinance are considered.

County-support-and-amend SB 270 (Padilla), which as amended on March 27, 2014, would: 1) phase out single-use plastic bags in California grocery stores, convenience stores, liquor stores, and pharmacies by prohibiting them from providing a single-use carryout bag to a customer; 2) prohibit these stores from selling or distributing a recycled paper bag at the point-of-sale unless the store makes that bag available for purchase for not less than ten cents (\$0.10); and 3) allow a city, county or other local public agency that has adopted an ordinance, resolution, regulation, or rule relating to reusable grocery bags, single-use carryout bags, or recycled paper bags before September 1, 2014 to continue to enforce and implement that ordinance, passed the Assembly Natural Resources Committee by a vote of 5 to 3 on May 14, 2014. This measure now proceeds to the Assembly Appropriations Committee.

County-supported SB 1339 (Cannella), which would have required that prior to contracting with certified Drug Medi-Cal (DMC) provider organizations, counties or the California Department of Health Care Services obtain criminal history information for the owners and key staff of DMC provider organizations from the California Department of Justice, was amended on April 29, 2014.

As amended, SB 1339 would require a certified Drug Medi-Cal (DMC) provider's owner and medical director to, prior to contracting with a county or the California Department of Health Care Services (DHCS), submit fingerprint images and other related information to the California Department of Justice (DOJ) to obtain the person's criminal history information. As amended, SB 1339 would require DOJ to forward the fingerprint images and related information to the Federal Bureau of Investigations (FBI) and to request a federal summary of criminal information. Upon receiving the information/response from the FBI, DOJ will be required to review the information and provide a response to the affected counties or DHCS. Under the amended bill, DOJ will be authorized to charge a fee sufficient to cover the cost of processing the criminal history information; however, as currently drafted the bill does not indicate which entity will be responsible for the fee charged by DOJ. As amended, counties and DHCS would still be authorized to contract with a certified DMC provider organization, regardless of the contents of the criminal history information received, as originally proposed under SB 1339.

The Department of Public Health (DPH) indicates that SB 1339, as amended, continues to provide a valuable tool for ensuring the quality of prospective Drug Medi-Cal program service providers. DPH does indicate however that any fees charged by the California Department of Justice to cover the cost of processing the criminal history information required under SB 1339 should not be the responsibility of counties or the California Department of Health Care Services, but should be the responsibility of prospective DMC provider owners and medical directors.

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SB 1339 was placed on the Senate Appropriations Suspense File on May 12, 2014.

We will continue to keep you advised.

WTF:RA
MR:IGEA:lm

c: All Department Heads
Legislative Strategist
Local 721
Coalition of County Unions
California Contract Cities Association
Independent Cities Association
League of California Cities
City Managers Associations
Buddy Program Participants